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3 IN THE DISTRICT COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF OKANOGAN

4 In re:

Administrative Order No. 2021-002

5 COURT OPERATIONS UNDER THE
6 EXIGENT CIRCUMSTANCES
CREATED BY PUBLIC HEALTH
EMERGENCY IN WASHINGTON STATE

7 WHEREAS, On February 29, 2020, Washington State Governor Jay Inslee declared a
state of emergency due to the public health emergency posed by the spread of the coronavirus
8 (COVID-19) and;

9 WHEREAS, On October 13, 2020 the Washington Supreme Court adopted Fourth
Revised and Extended Order Regarding Court Operations No. 25700-B-646 (Order No. 25700-
B-646), granting emergency authority upon all Washington courts to adopt, modify, and/or
10 suspend court rules and orders, and to take further actions concerning court operations, as
warranted to address the current state of emergency issued an emergency order in response to the
11 public health emergency that affects operations of trial courts in Washington State; and

12 WHEREAS, on August 20, 2021, due to an increase of new COVID 19 cases statewide,
Governor Inslee issued an Executive Order placing additional restrictions on the citizens of the
State of Washington to include mandatory mask usage in indoor public places; and

13 WHEREAS, as of August 31, 2021, the spread of COVID-19 is increasing in Okanogan
County at a higher rate than at any time throughout the COVID-19 pandemic, and

14 WHEREAS, to reduce spread of COVID-19, the United States Centers for Disease
Control and Prevention and the Washington State Department of Health (DOH) recommend
15 implementation of community mitigation strategies to increase containment of the virus,
including cancellation of large gatherings and social distancing in smaller gatherings; and

16 WHEREAS, Supreme Court Order No. 25700-B-646, and the orders amended thereby,
17 require the courts in this state to significantly alter current practices to protect public health; and

1 WHEREAS this Court can take steps to reduce the risk of infection inherent to extended
2 indoor congregate settings by requiring masks and imposing distancing requirements, the
3 increased transmissibility of the COVID delta variant is such that the Court likely cannot protect
4 jurors and litigants seated for the long lengths of time a trial would require; and


5 WHEREAS Okanogan County Public Health officials have expressed concern that
6 conducting jury trials could exacerbate community spread of the virus, placing further strain on
7 local and regional healthcare systems; and

8 GIVEN the severity of risk posed to the public, and the above public health
9 recommendations from public health authorities;

10 IT IS HEREBY ORDERED, EFFECTIVE IMMEDIATELY:

- 11 1. CONTINUANCE OF SEPTEMBER AND OCTOBER, 2021 JURY TRIALS: No jury trials
12 will be conducted during the months of September and October, 2021. Cases currently set for
13 jury trial during these months will be re-scheduled as necessary at the currently-scheduled
14 readiness hearings. These readiness hearings will be held via Zoom videoconference, and the
15 parties are directed to appear remotely via Zoom as previously ordered.
- 16 2. SPEEDY TRIAL/HEARING: Pursuant to the authority granted by the Washington Supreme
17 Court in paragraphs 12 and 23 of Order No. 25700-B-646 and as the Presiding Judge of the
18 Okanogan County District Court, I find that the current rise of cases of COVID-19 is an
unavoidable circumstance requiring the suspension of the time for trial rule pursuant to
CrRLJ 3.3(e)(8). Therefore, the 60-day period between the date of this Order and October
31, 2021, shall be EXCLUDED when calculating time for trial in all criminal cases.
3. APPLICABILITY / DURATION: this Order modifies and supersedes any provisions of prior
Administrative Orders that are in conflict. This Order shall remain in effect through
December 31, 2021, unless later rescinded, modified, or extended by the Court, or unless
superseded by further Order of the Supreme Court.

DATED this 1st day of September, 2021.


Robert W. Grim, Presiding Judge